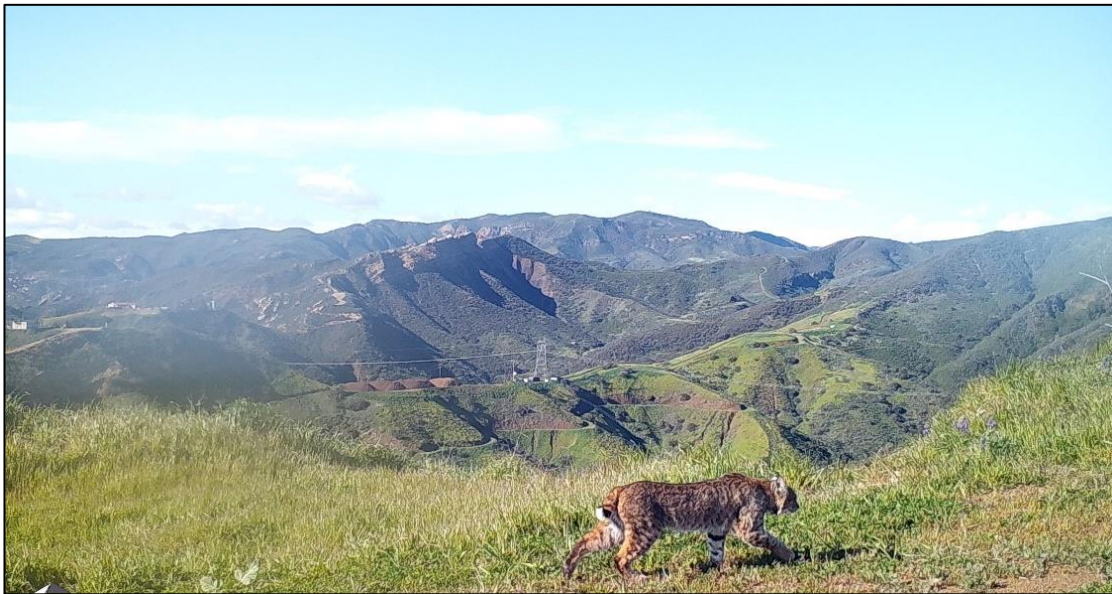


M2 NATURAL COMMUNITY CONSERVATION PLAN/HABITAT CONSERVATION PLAN – 2023 ANNUAL REPORT



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Acronyms and Definitions

ACOE – Army Corps of Engineers

CAGN – Coastal California gnatcatcher

Caltrans – California Department of Transportation

CBB – Crotch’s bumble bee

CCC - California Coastal Commission

CCW – Coastal cactus wren

CDFW – California Department of Fish and Wildlife

CEs – Conservation Easements

CHL – Coast horned lizard

CHSP – Chino Hills State Park

CNDDDB – California Natural Diversity Database

COI – Certificate of Inclusion

CSS – Coastal sage scrub

DLRP – Disturbed lands restoration project (Pacific Horizon Preserve)

ECR – Environmental Commitment Report

EMP – Environmental Mitigation Program

EOC – Environmental Oversight Committee. The EOC is made up of two OCTA Board members and representatives from Caltrans, the Wildlife Agencies, ACOE, environmental groups, and the public. The EOC makes recommendations on the allocation of environmental freeway mitigation funds and monitors the execution of a master agreements between OCTA and state and federal resource agencies.

ESA – Endangered Species Act

FMP – Fire Management Plan

GLA – Glenn Lukos Associates

GSOB – Gold spotted oak borer (beetle)

HCP – Habitat Conservation Plan

HMMP – Habitat Mitigation Monitoring Plan

I – Interstate

IA – Implementing Agreement

IML – Intermediate mariposa lily

IRC – Irvine Ranch Conservancy

ISHB – Invasive shot hole borer

ISMP – Invasive Species Management Plan

MSD – Many-stemmed dudleya

M2 – The renewed Measure M (or Measure M2)

M2 NCCP/HCP – OCTA M2 Natural Communities Conservation Plan / Habitat Conservation Plan adopted on November 2017. Also referred as Plan.

NCCP – Natural Community Conservation Plan

NCCPA – Natural Community Conservation Plan Act

OC Go – M2 rebranded

OC Parks – Orange County Parks

OCTA – Orange County Transportation Authority

OTW – Orangethroat whiptail

RMP – Resource Management Plan

SCAG – Southern California Association of Governments

SCE – Southern California Edison

SR – State Route

UCI – University of California, Irvine

USFS – United States Forest Service

USFWS – U.S. Fish and Wildlife Service

Wildlife Agencies – the California Department of Fish and Wildlife (CDFW) and U.S. Fish and Wildlife Service (USFWS), collectively referred to as the Wildlife Agencies

Executive Summary

This is the sixth Annual Report for the Orange County Transportation Authority (OCTA) renewed Measure M (M2) Natural Community Conservation Plan/Habitat Conservation Plan (NCCP/HCP or Plan), covering all activities between January 1, 2023 and December 31, 2023. This report summarizes the tracking of impacts associated with covered freeway improvement projects and other management and monitoring activities on Preserves (Covered Activities). It also provides an update of the status and activities on the OCTA Preserves, progress on the implementation of OCTA-funded restoration projects, and additional Plan administration and public outreach activities. This Annual Report has been prepared to comply with the state NCCP and federal HCP annual reporting requirements and will be submitted to the California Department of Fish and Wildlife (CDFW) and the United States Fish and Wildlife Service (USFWS), collectively referred to as the Wildlife Agencies, for review. Once the Annual Report has been finalized, it will be presented to the OCTA Environmental Oversight Committee (EOC) and will be available for public review.

Tracking Impacts from Covered Activities

OCTA keeps account of the Plan-to-date impacts on habitat types from all covered freeway improvement projects to ensure impacts stay within the caps established within the Plan. To date, a total of **9.2 acres of habitat impacts have been authorized relative to a cap of 141.0 acres**. In addition, OCTA uses a consistency determination checklist to evaluate how and when avoidance and minimization measures are implemented on covered freeway improvement projects. No projects had consistency determinations drafted, modified, or completed within the timeframe of this Annual Report. Other tracking requirements include:

- *Tracking for Covered Plant Species Policy* – OCTA tracks the credits for covered plant species protection (on Preserves) and restoration/enhancement (restoration projects) relative to allowable impacts. The Plan-to-date balance for each plant species is net positive (intermediate mariposa lily (*Calochortus weedii* var. *intermedius*, IML) [+933], many-stemmed dudleya (*Dudleya multicaulis*, MSD) [+57], southern tarplant (*Centromadia parryi* ssp. *australis*, ST) [+59,377]).
- *Tracking Impacts on Habitat Types Resulting from Covered Activities within Preserves* – The Plan establishes a cap that no more than 13 acres (approximately 1%) of the natural habitat within the OCTA Preserves will be impacted by Preserve management activities. To date, no measurable permanent impacts have been recorded on the Preserves.
- *Maintaining Rough Proportionality* – The Plan requires implementation of conservation measures roughly proportional in time and extent to impacts on natural communities and Covered Species. To date, seven restoration projects, Big Bend, City Parcel, Bee Flat, University of California, Irvine (UCI) Ecological Reserve, United States Forest Service (USFS) Dam Removal, Agua Chinon, and Lower Silverado Canyon have received sign-off from the Wildlife Agencies as meeting their success criteria and have achieved conservation credits that keeps the Plan ahead of allowable impacts.

OCTA Preserves

OCTA acquired seven properties resulting in the protection of 1,236¹ acres of natural habitat (see Figure 1). In all instances, the seven Preserves are located within priority conservation areas and immediately adjacent to other protected lands. These Preserves add to the protection of large blocks of natural open space in areas important for regional conservation. OCTA has completed Resource Management Plans (RMPs) for each Preserve that includes Preserve-specific goals and objectives and define an appropriate level of public access and trail use consistent with protection of biological resources. An update to the RMPs is currently underway. OCTA will be coordinating the updated language with the Wildlife Agencies. It is anticipated that Conservation Easements (CEs) will be established and recorded in the near future. Templates have been developed and are currently under review with CDFW legal counsel. Currently, each Preserve is being managed by OCTA. OCTA is considering potentially transitioning to a long-term Preserve Manager and is working to identify potential Preserve Managers.

OCTA has contracted the following consulting firms to support Preserve management:

- (1) Glenn Lukos Associates (GLA) to provide biological monitoring, oversee implementation of the approved invasive species management plans (ISMPs), assist with public outreach events, and general program needs including CE support.
- (2) RECON Environmental to support general Preserve stewardship including maintenance of access roads, tree trimming, and control of public access. RECON will also be assisting with updating the RMPs.
- (3) High Level Security Services (HLSS) to assist with patrol of the Preserves to help deter trespassing, vandalism and provide enforcement as needed.
- (4) Guida Surveying Inc. to perform property surveying services.

Most notably, the Fire Management Plans (FMPs) were completed, focused monitoring efforts continued for the 2022 Coastal Fire burn area, and effectiveness monitoring continued for the covered reptile species for five of the seven Preserves. In addition, OCTA hosted numerous Preserve-specific outreach events to educate the public about property value, public access, and plans to continue this process in the near term as part of a managed access approach.

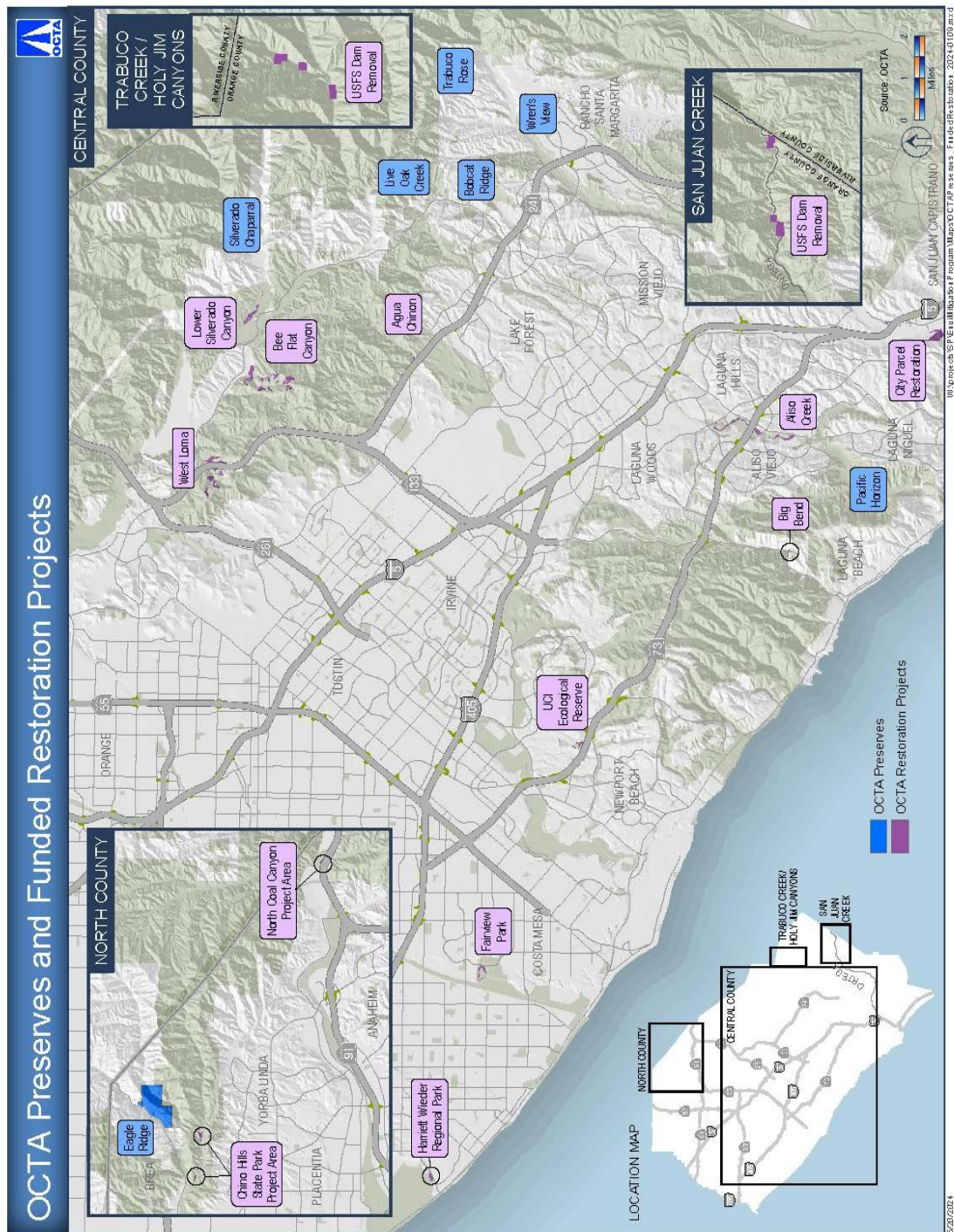
OCTA-Funded Restoration Projects

OCTA has approved funding for 12 restoration projects (including a dam removal project) that will result in over 350 acres of restored habitats and improvements to habitat functions for Covered Species. The restoration projects occur throughout the Plan Area in core habitat areas and within key habitat linkages and riparian corridors (see Figure 1). The restoration projects are on lands that are currently managed and will enhance habitat for Covered Species. OCTA is working with the restoration project sponsors to complete implementation and monitoring of the restoration activities. At completion, the restoration projects must meet their success criteria to achieve sign-off from the

¹ The acreage of natural habitat preserved is based on best available information used during the preparation of RMPs and may be slightly different from acreages reported in the M2 NCCP/HCP.

Wildlife Agencies. To date, seven of the 12 restoration projects have obtained sign-off. The remaining five restoration projects are at different stages of this process. Additionally, some of these restoration projects have been impacted in previous years by wildfires and some were delayed due to issues such as drought.

Figure 1 – OCTA M2 NCCP/HCP Preserves and Funded Restoration Projects



Additional Conditions for Coverage

As part of the Conservation Analysis (Chapter 6) in the Plan, there are two Covered Species, arroyo chub (*Gila orcutti*) and MSD, noted for additional conditions for coverage which are above and beyond the acquisition of the OCTA Preserves and funding of restoration projects. In 2022, the USFS Dam Removal restoration project, funded by OCTA, was completed, and approved. This restoration project satisfied the conditions for coverage of arroyo chub. For MSD, OCTA has taken steps to protect and enhance an existing population of MSD on the Pacific Horizon Preserve. In addition, OCTA has been collaborating with the Wildlife Agencies to develop an acceptable restoration plan for MSD on this Preserve to hopefully expand the existing population and meet the criteria needed to achieve coverage for this species. If this is determined to be infeasible, OCTA will fund a separate restoration project within Orange County.

Public Outreach

OCTA is committed to transparency in how the M2 funds have been and are being used to implement the Plan and the broader Environmental Mitigation Program (EMP). OCTA has conducted a variety of public outreach activities aimed at informing and engaging the public on the overall EMP as well as Preserve-specific issues and events. These have included public meetings during the preparation of the Preserve RMPs, maintaining a website with information and documents related to the program, and engaging in various outreach efforts. In 2023, OCTA participated in one EMP public outreach event and 6 Preserve-specific public outreach events.

Plan Funding

The primary source of funding for the Plan will derive from the M2 transportation sales tax designed to raise money to improve Orange County's transportation system. As part of the M2 sales tax initiative, at least five percent of the revenues from the freeway program will be set aside for the M2 EMP revenues. There are sufficient funds available through the M2 EMP to cover the implementation of the Plan. OCTA is currently in a 12 - 15 year process (target of fiscal year 2027/2028) to accumulate and establish, in perpetuity, an endowment that will provide a long-term funding source to cover ongoing Preserve management and monitoring, adaptive management, and responses to changed circumstances. The current M2 EMP revenue stream is used to cover Plan implementation and administration until the endowment is fully funded.

Plan Administration

OCTA is responsible for implementing the Plan and staffing an NCCP/HCP Administrator position. OCTA has designated Lesley Hill as the NCCP/HCP Administrator. Her role includes overseeing Preserve management and monitoring, coordinating with restoration project sponsors, serving as the primary point of contact with the Wildlife Agencies, ensuring avoidance and minimization measures are implemented pursuant to the Plan, tracking impacts and conservation, assisting with public outreach, and preparing this Annual Report.

The Plan outlines how modifications and minor/major amendments can be made to the Plan. At the recommendation of the Wildlife Agencies, a minor amendment has been recommended to the Plan to document the Southern California Edison (SCE) utility poles and maintenance areas within various Preserves. OCTA staff has been coordinating with SCE staff and legal since 2020. An access agreement and pole easements for each Preserve (except Bobcat Ridge) has been developed and is under final review by SCE legal. OCTA is waiting for SCE to obtain a coastal development permit that will define their on-going maintenance needs at the Pacific Horizon Preserve. Some of the poles at Pacific Horizon may be removed, resulting in less maintenance and less permanent impacts. The disposition of these poles will also be considered when factoring the compensation/restoration plan needs for the damage to the Preserve. The Coastal fire which burned the Pacific Horizon in May 2022 has delayed this coordination. Additional information will need to be obtained from SCE in order to move forward with an Amendment. No major amendments are proposed.